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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

: 10/736,535

Applicant :

Michael Tal

Filed

12/17/2003

Group Art Unit:

Examiner

Docket No.

**TAL-001** 

Customer No.:

021884

Title

VASCULAR ABLATION APPARATUS AND METHOD

## **INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure provisions of 37 CFR § 1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the subject application.

1. Enclosures accompanying this Information Disclosure Statement are:

la.	≌,	Form PTO-1449.
1b.	$\square$	Copy(ies) of IDS citation(s), except for U.S. Patents and U.S. Patent Application
		publications for applications filed on or after June 30, 2003.
1.c.		English language copy of a communication(s) from a foreign Patent Office or
	,	a PCT International Search Report.
1d.	$\square$	English language translation (complete, Abstract, or relevant portion(S))
		attached to non-English language publications as indicated on the attached PTO
	,	Form PTO-1449.
1e.	<b>☑</b>	Explanations of Relevancy of References (ATTACHMENT 1(e), hereto) for
		providing a concise explanation of non-English publications.
1 f.		List of Copending Applications (ATTACHMENT 1(f), hereto).
1 <b>φ</b> .		List of Additional Submitted Documents (ATTACHMENT 1(9), hereto).

2.	This Information Disclosure Statement is filed under 37 CFR § 1.97(b):  (Check either Item 2a or 2b or 2c or 2d)					
	2a. 2b.		Within three months of the filing date of a national application; Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application.			
	2c.		Before the mailing of a first Office Action on the merits; or			
	2d.		Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114.			
3.	in para a Not applica					
	(Check	either It	em 3a or 3b; Item 3b to be checked if any reference known for more than 3 months)			
	3a. 3b.		The § 1.97 (e) Statement in Item 5 below is applicable; OR The \$180.00 fee set forth in 37 CFR § 1.17(p) is:			
		_	enclosed.			
			□ to be charged to Deposit Account No. 01-2221.			
4.	☐ This In	ion Disclosure Statement is filed under 37 CFR § 1.97(d) after the period specified above, but no or before payment of the Issue Fee, AND				
	4a.		The § 1.97(e) Statement in Item 5 below is applicable; AND			
	4b.		The \$180.00 fee set forth in 37 CFR § 1.17(p) is:  □ enclosed.			
			to be charged to Deposit Account No. 01-2221.			
5.   States		nent und	ler § 1.97(e) (applicable if Item 3a or 4a is checked) (Check either Item 5a or 5b)			
	5a.		In accordance with 37 CFR § 1.97(e)(1), it is stated that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.			
	5b.		In accordance with 37 CFR § 1.97(e)(2), it is stated that no item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known by any individual designated in § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.			

			inuation/division/continuation-in-part application under 37 CFR § 1.53(b). (Check appropriate Items 6a and/or 6b).			
	6a.		Copies of the publications listed on the attached Form PTO-1449 which were			
	ou.		previously cited in prior application Serial No, filed on			
			and which is relied on for an application officering files date for the			
			and which is relied on for an earlier effective filing date for the			
			subject application under 35 U.S.C. § 120, have been omitted pursuant to 37 CFR § 1.98(d).			
	6b.		Copies of the publications listed on the attached Form PTO-1449 which were			
			not previously cited in prior application Serial No, filed on			
			, and which is relied on for an earlier effective filing date for the			
			subject application under 35 U.S.C. § 120, are provided herewith.			
7.	☐ This is a Request for Continued Examination under 37 CFR § 1.114.  (Check either Item 7a or 7b)					
	7a.		The Issue Fee has not been paid.			
	7Ь.		A Petition to Withdraw from issue under 37 CFR § 1.313(c) is filed concurrently			
			herewith or has been granted. A Request for Continued Examination under 37			
			CFR § 1.114, after payment of Issue Fee, is proper in accordance with 37 CFR			
			§ 1.114(a), respectively.			
8.	☐ This is a Supplemental Information Disclosure Statement					
			(Check either Item 8a or 8b)			
	8a.		This Supplemental Information Disclosure Statement under 37 CFR § 1.97(f)			
			supplements the Information Disclosure Statement filed on A			
			bona fide attempt was made to comply with 37 CFR § 1.98, but inadvertent			
			omissions were made. These omissions have been corrected herein.			
			Accordingly, additional time is requested so that this Supplemental IDS can be			
		_	considered as if properly filed on			
	8b.		This Supplemental Information Disclosure Statement is timely filed within one			
			(1) month of the Notice under 37 CFR §§ 1.97 and 1.98, mailed			
9.	□ In acc	ordance	e with 37 CFR § 1.98, concise explanation of what is presently understood to be			
	the re	levance	of each non-English publication is:			
		_	(Check appropriate Items 9a, 9b, 9c and/or 9d)			
	9a.		satisfied for the non-English language publication(s) cited on the enclosed			
			"English language version of the search report or action which indicates the			
			degree of relevance found by the foreign office". (See MPEP § 609, Minimum			
			Requirements for an Information Disclosure Statement, Part A(3): Concise			
			Explanation of the Relevance, 8th Ed., Rev. 2)			
	9Ъ.		set forth in the application.			
	9c.		satisfied for the non-English language publication(s) indicated on the attached			
			Form PTO-1449 as having an English language translation (complete or			
			relevant portion(s)) attached thereto.			
	9d.		enclosed as Attachment (1(e), hereto.			

- 10. No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than search report(s) from a counterpart application or a PCT International Search Report, if submitted herewith). 37 CFR §§ 1.97(g) and (h).
- 11. The Commissioner is authorized to credit any overpayment or charge any additional fee required under 37 CFR § 1.17 for this Information Disclosure Statement to Deposit Account 01-2221.

Respectfully submitted,

Howard N. Flaxman Registration No. 34,595

WELSH & FLAXMAN LLC 2450 Crystal Drive, Ste. 112 Arlington, VA 22202 (703) 920-1122

## ATTACHMENT 1(e)

EP0501081 is cited herein as disclosing a device for the removal of varicose veins.

PTO/SB/08A (08-03) Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE to respond to a collection of information unless it contains a valid OMB control number.

Under the Paperwork Reduction Act of 1995, no persons are requ

Substitute for form 1449/PTO

Sheet 1

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

of |1

Complete if Known				
Application Number	10/736,535			
Filing Date	12/17/2003			
First Named Inventor	Tal	-		
Art Unit				
Examiner Name				
Attorney Docket Number	TAL-001			

U. S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Document Number  Number-Kind Code <sup>2 (# known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		<sup>US-</sup> 5,047,013	09/1991	Rossedeutscher		
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Examiner Initials*	Cite	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	Π
madis	110.	Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	MM-DD-YYYY	7.44	Or Relevant Figures Appear	
		DE10059742A1	06/2002	Angiolas Medica		$oxed{}$
		EP0501081	09/1992	Cadet		
		FR2651682	03/1991	Cadet		$\leq$
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Examiner	Date	
Signature	Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.